

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments.

Applicants filed a Sequence Listing on January 30, 2003, after they incorporated the actual DNA and amino acid sequences of GenBank Accession No. Y08612 into the specification and claims in their paper of October 10, 2002. The present Amendment now incorporates the specific sequence identifiers of those sequences in the specification and claims. Thus, page 6 of the specification, which describes the exact DNA and amino acid sequences of Y08612, now includes references "(SEQ ID NO. 1)" for the DNA sequence and "(SEQ ID NO. 2)" for the amino acid sequence.

Similarly, claims 3, 23, and 24, have been amended to recite "the protein consisting of the amino acid sequence of SEQ ID NO. 2."

The amendment is fully supported by the specification and Applicants have not introduced any new matter into the claims.

IV. Conclusion

Applicants believe that the claimed invention is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

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MARKED-UP VERSION OF THE SPECIFICATION

At page 6, please add the following paragraphs before the “Brief Description of the Drawings”:

The amino acid sequence (SEQ ID NO. 2) of accession number Y08612 is:

MAAAEGPGDGEWLWTPNHHVFLRLREGLKNQSPTEAEKPASSSLPSSPPQLLTRNVFGLGGELFLWDGED
SSFLVVRLRGPSGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQHHVALIGIKGLMVLELPKRWGKNSEFEGGK
STVNCSTTPVAERFFTSSTSLTLKHAAWPSEILDPHVVLTSNDNIRIYSLREPQTPTNVIILSEAAEESLVLN
KGGRAYTASLGETAVAFDFGPLDAVPKTLFGQNGKDEVVAYPLYIYENGETFLTYISLLHSPGNIWKAAGSIAHA
SAAEDNYGYDACAVLCLPCVPNILVIAATESGMLYHCVVLEGEEEDHTSEKSWDSRIDLIPLSYLFECVELELAL
KLASGEDDPFDSDFSCPVKLHRDPKCPSTRYHCTHEAGVHSVGLTWIHKLKFLGSDEEDKDSLQELSTEQKCFVE
HILCTRPLPCRQPAPIRGFWIVPDILGPTMICITSTYECLIWPLLSTVHPASPLLCTREDVEVAESSLRVLAET
PDSFEKHIRSILQRSVANPAFLKASEKDIAAPPPECLQLLSRATQVFREQYILKQDLAKEEIQRKVLLCDQKKK
QLEDLSYCREERKSLREMAERLADKYEEAKEKQEDIMNRMKLLHSFHSELPVLSDSERDMKKELOLQIPDQLRHL
GNAIKQVTMKKDYQQQKMEKVLSLPKTIILSAYQRKCIQSILKEEGEHIREMVQKQINDIRNHVNF.

The nucleic acid sequence ([SEQ ID NO. 1](#)) encoding the protein of accession number Y08612 is:

1 gataaaccca caagacacaa aacataacctt tcgagcagtt gggccaagat ggcggccccc
61 gagggaccgg tggcgacgg cgagctgtgg cagacctggc ttccaacca cgtcggttc
121 ttgcggctcc gggaggact gaaaaccag agtccaaccg aagctgagaa accagcttc
181 tcgtcggtgc ctgcgtcgcc gcccgcag ttgctgacga gaaacgtggt cttggccctc
241 ggcggagago tttccctgtg ggacggagaa gacagctct tcttagtcgt tcgccttcgg
301 gcccccagcg gcggcggcga agagccgcg ctgtcccaagt accagagatt gtcttcata
361 aatccacccc tgtttgaat ctatcaagtc ttgttaagcc caacacaaca tcatgtgaca
421 ctatagga aaaaaggact tatgttatta gaattaccta aaagatgggg gaagaatttc
481 gaatttgaag gtggaaaatc aacagtgaat ttagtacca ctccaggcgg gtagagattt
541 ttacccaggc ccacccctct gactctaaag catgctgcgat ggtatccaag tggaaatctt
601 gatccccacg tagtgctgtt aacatcagac aacgtaatca gaattactc tctacgtgag
661 ccgcagacac ccactaacgt gataatactt tcagaagccg aagagggaaag tctagtaactc
721 aataaaggaa gggcgtatac cgcatctcta ggagagacag cagttgcatt tgactttggg
781 ccattggacg cagtcacaaa gactctattt ggacaaaaacg gcaaaagatga agtagtggca
841 tacccactgt acatcttata tgaaaatgga gagactttcc tgacatacat cagtctgtt
901 cacagccctg gaaatattt gaaagctgtt ggttccattt cccatgcac tgcggctgaa
961 gataactatg gttatgatgc gtgtgctgtt ctctgttac cctgtgtccc caatatctt
1021 gtgatcgcta ctgaatcagg aatgctgtat cactgtgtcg tgctagaagg ggaagaagaa
1081 gatgaccaca cgtcagaaaa gtcctggat tccaggattt acctcattcc ttctctgttat
1141 gtgttgtaat gtgttgagtt ggagcttgct ttgaaacttgc catctggaga ggatgaccct
1201 ttgttactgt acttttcttgc tccagtcaaa cttcatagag atcccaagtgc tccttcaaga
1261 tatactgtt ctcataaaggc tgggttacat agtggggc taacttggat tcataaactt
1321 cacaatttc ttggatcaga tgaagaagat aaggatagtt tacaggaact ctctacagaa
1381 cagaaatgct ttgttgaaca catcccttttgc acgaggccat tgccctgcag gcagccagct
1441 ccaattcggag gattttggat tgcacctgc attctggac ccacatgtat ctgcacatc
1501 agtacctatg aatgcctcat atggccgtt ttaagtacag tccatccagc gtccctccc
1561 ctgtttgtt ctcgagaaga tggtaagtg gcagagttt ccctccgtgt tctggctgaa
1621 accccagatt ctttgaaaa gcatattaga agcattttgc aacgttagtgc tgccaatcc
1681 gcattttga aagtttgc aaaggacata gcccctctc ctgaaagaatg ctttcagctc
1741 cttagcagag ccacccaggt gttcagagag cagtacattc tcaaacagga cttggcaaaag
1801 gaggagattc agcggagggt caaatttata tgtgacaaa aaaagaaaca actagaagat
1861 ctcagttttt gtcgagaaga gagaaaagt ctgcggggaa tggctgagcg ttagctgac
1921 aaatatgagg aagctaaaga aaaacaagag gatatcatga acaggatgaa aaaactactt
1981 cacagttttc actctgagct cccaggcttc tctgtatgt agcggagacat gaagaaagaa
2041 ttacagctga tacctgtca acttcgacat ttgggcattt ccatcaaaaca gtttactatg
2101 aaaaaggatt atcaacacga aaagatggag aagggttgc gtctccaaa acccaccatt
2161 atttcagtg cttaccagcg aaaaatgtcatt cagttccatcc tggaaagggaa ggttgaacat
2221 ataaggaaaa ttgttgaagca aatcaatgtt atccgcattt atgtaaaactt ctgcacaccac
2281 caggagctga ctcacacccgt aactgaacac cattgaaggc tttaaaccat atgtaaaac
2341 agttagaaattt atctaatttta taaaaagggt ttttgcgt.

MARKED-UP VERSION OF THE CLAIMS

13. (Twice amended) A method for identifying a cancer cell comprising:
- (a) providing a tissue biopsy sample; and
 - (b) determining the level of expression in said sample of the protein consisting of the amino acid sequence of SEQ ID NO. 2:

MAAAEGPVGDGELWQTWLPNHHVFLRLREGLKNQSPTAEKPASSSLPSSPPPQLLTRNVFGLGGELFLWDGE
DSSFLVVRLRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQHHVALIGIKGLMVLELPKRWGKNSEFEG
GKSTVNCSTTPVAERFFTSSTSLLKHAAWYPSEILDPHVVLTSNDNVIRIYSLREPQTPTNVIIILSEAEEESL
VLNKGGRAYTASLGETAVAFDFGPLDAVPKTLFGQNGKDEVVAYPLYIYLYLENGETFLTYISLLHSPGNIWKA
VGSIAHASAAEDNYGYDACAVLCLPCVPNIVIATESGMLYHCVVLEGEEEDDTSEKSWDSRIDLIPSLYVFEC
VLELALKLASGEDDPFDSDFSCPVKLHRDPKCPSTRYHCTHEAGVHSVGLTWIHKLHKFLGSDEEDKDSLQELSTE
QKCFVEHILCTRPLPCRQPAPIRGFWIVPDILGPTMICITSTYECLIWPLLSTVHPASPPLLCTREDVEAESS
LRVLAETPDSFEKHRSILQRSVANPAFLKASEKDIAAPPPEECLQLLSRATQVFREQYILKQDLAKEEIQR
RKVLLCDQKKQLEDLSYCREERKSLREMAERLADKYEEAKEKQEDIMNRMKLLHSFHSELPVLS
SERDMKKELQ, LIPDQLRHGN
GNAIKQVTM
KKDYQQQKMEKVLSLPKPTIILSAYQR
KCIQSILKEEGEHIREMV
KQINDIRNHVN
F,

wherein a sample comprising said protein at a level of expression that is greater than non-cancer cells indicates that said sample comprises a cancer cell.

23. (Twice amended) A diagnostic kit comprising a protein binding molecule, wherein the protein binding molecule binds to the protein consisting of the amino acid sequence of SEQ ID NO. 2:

MAAAEGPVGDGELWQTWLPNHHVFLRLREGLKNQSPTAEKPASSSLPSSPPPQLLTRNVFGLGGELFLWDGED
SSFLVVRLRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQHHVALIGIKGLMVLELPKRWGKNSEFEG
GKSTVNCSTTPVAERFFTSSTSLLKHAAWYPSEILDPHVVLTSNDNVIRIYSLREPQTPTNVIIILSEAEEESL
VLNKGGRAYTASLGETAVAFDFGPLDAVPKTLFGQNGKDEVVAYPLYIYLYLENGETFLTYISLLHSPGNIWKA
VGSIAHASAAEDNYGYDACAVLCLPCVPNIVIATESGMLYHCVVLEGEEEDDTSEKSWDSRIDLIPSLYVFEC
VLELALKLASGEDDPFDSDFSCPVKLHRDPKCPSTRYHCTHEAGVHSVGLTWIHKLHKFLGSDEEDKDSLQELSTE
QKCFVEHILCTRPLPCRQPAPIRGFWIVPDILGPTMICITSTYECLIWPLLSTVHPASPPLLCTREDVEAESS
LRVLAETPDSFEKHRSILQRSVANPAFLKASEKDIAAPPPEECLQLLSRATQVFREQYILKQDLAKEEIQR
RKVLLCDQKKQLEDLSYCREERKSLREMAERLADKYEEAKEKQEDIMNRMKLLHSFHSELPVLS
SERDMKKELQ, LIPDQLRHGN
GNAIKQVTM
KKDYQQQKMEKVLSLPKPTIILSAYQR
KCIQSILKEEGEHIREMV
KQINDIRNHVN
F.

24. (Twice amended) A diagnostic kit comprising a nucleic acid, wherein the nucleic acid anneals specifically to a nucleic acid transcript that encodes the protein consisting of the amino acid sequence of SEQ ID NO. 2:

MAAAEGPVGDGELWQTWLPNHHVFLRLREGLKNQSPTAEKPASSSLPSSPPPQLLTRNVVFGLGGELFLWDGED
SSFLVVRLRGPSGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQHHVALIGIKGLMVLELPKRWGKNSEFEGGK
STVNCSTTPVAERFFTSSTSLLKHAAWYPSEILDPHVVLTSNDVIRIYSLREPQPTNVIIILSEAEESLVNL
KGGRAYTASLGETAVAFDFGPLDAVPKTLFGQNGKDEVVAYPLYIYENGETFLTYISLLHSPGNIKAVGSIAHA
SAAEDNYGYDACAVLCLPCVPNILVIATESGMLYHCVVLEGECEEDHTSEKSWDSRIDLIPSLYVFECVELELAL
KLASGEDDPFDSDFSCPVKLHRDPKCPHYCTHEAGVHSVGLTWIHKLHKFLGSDEEDKDSLQELSTEQKCFVE
HILCTRPLPCRQPAPIRGFWIVPDILGPTMICITSTYECLIWPLLSTVHPASPPLLCTREDVEVAESSLRVLAET
PDSFEKHRSILQRSVANPAFLKASEKDIAAPPPEECLQLLSRATQVFREQYILKQDLAKEEIQRRVKLLCDQKKK
QLEDLSYCREERKSLREMAERLADKYEEAKEKQEDIMNRMKLLHSFHSELPVLSD SERDMKKELQLIPDQLRHL
GNAIKQVTMKKDYQQQKMEKVLSLPKPTIILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVNF.